

STAY,CLOSED,JCG

**U.S. District Court  
Southern District of Mississippi (Southern)  
CIVIL DOCKET FOR CASE #: 1:18-cv-00161-HSO-JCG**

Orocon-Carothers JV1 v. Department of the Navy  
Assigned to: District Judge Halil S. Ozerden  
Referred to: Magistrate Judge John C. Gargiulo  
Cause: 05:552 Freedom of Information Act

Date Filed: 05/09/2018  
Date Terminated: 01/03/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Orocon-Carothers JV1**

represented by **Michael C. Williams**  
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V.

**Defendant**

**Department of the Navy**  
*an agency of the United States*

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Date Filed	#	Docket Text
05/09/2018	<u>1</u>	COMPLAINT against Department of the Navy (Filing fee \$ 400; receipt number 14643010285), filed by Orocon-Carothers JV1. (Attachments: # <u>1</u> Civil Cover Sheet)(JCH) (Entered: 05/09/2018)
05/09/2018	<u>2</u>	Summons Issued as to U.S. Attorney and U.S. Attorney General (JCH) (Entered: 05/09/2018)
05/10/2018	<u>3</u>	NOTICE of Appearance by Ralph B. Germany, Jr on behalf of Orocon-Carothers JV1 (Germany, Ralph) (Entered: 05/10/2018)

05/14/2018	<u>4</u>	Corporate Disclosure Statement by Orocon–Carothers JV1 (Williams, Michael) (Entered: 05/14/2018)
05/15/2018	<u>5</u>	ATTACHMENT re <u>1</u> Complaint by Orocon–Carothers JV1 (Attachments: # <u>1</u> Exhibit A– Confirmation Email, # <u>2</u> Exhibit B– Screenshot of FOIA Online Status, # <u>3</u> Exhibit C– Email Correspondence with A Hall, # <u>4</u> Exhibit D– Email Correspondence with A Hall Cost estimate, # <u>5</u> Exhibit E– Confirmation Email, # <u>6</u> Exhibit F– Screenshot of Online FOIA Status, # <u>7</u> Exhibit G– Email Correspondence with Pat Spann, # <u>8</u> Exhibit H– 022818 Email Correspondence)(Williams, Michael) (Entered: 05/15/2018)
05/24/2018	<u>6</u>	Unopposed MOTION for Extension of Time to File Answer re <u>1</u> Complaint <i>or other Response</i> by Department of the Navy (Eldridge–Federal Gov, Cynthia) (Entered: 05/24/2018)
05/24/2018		TEXT ONLY ORDER granting <u>6</u> Defendant's unopposed Motion for an Extension of Time. Defendant is granted an extension of time until July 2, 2018, within which to file its answer or otherwise respond to Plaintiff's Complaint. NO FURTHER WRITTEN ORDER WILL ISSUE. Signed by Magistrate Judge John C. Gargiulo on 5/24/18 (HM) (Entered: 05/24/2018)
06/28/2018	<u>7</u>	ANSWER to <u>1</u> Complaint by Department of the Navy.(Eldridge–Federal Gov, Cynthia) (Entered: 06/28/2018)
06/29/2018	<u>8</u>	Rule 16(a) Initial Order: Telephonic Case Management Conference set for 8/8/2018 at 10:00 AM before Magistrate Judge John C. Gargiulo. (AB) (Entered: 06/29/2018)
07/05/2018		Reset Hearing: Due to a conflict with Counsel for Plaintiff's schedule, the Telephonic Case Management Conference is RESET for 8/23/2018 at 9:30 AM before Magistrate Judge John C. Gargiulo. Counsel will follow all other instructions given in the Rule 16(a) Initial Order. (AB) (Entered: 07/05/2018)
08/16/2018	<u>9</u>	NOTICE of Service of <i>Pre–Discovery</i> Disclosure by Department of the Navy (Eldridge–Federal Gov, Cynthia) (Entered: 08/16/2018)
08/16/2018	<u>10</u>	NOTICE of Service of <i>Initial</i> Disclosure by Orocon–Carothers JV1 (Williams, Michael) (Entered: 08/16/2018)
08/23/2018		Minute Entry for proceedings held before Magistrate Judge John C. Gargiulo: Telephonic Case Management Conference held on 8/23/2018. PARTICIPANTS: Michael C. Williams and Ralph B. Germany, Jr. (counsel for Plaintiff); Cynthia Lynn Eldridge (counsel for Defendant). A Case Management Order will be entered. (AB) (Entered: 08/23/2018)
08/23/2018		(DISREGARD) CASE MANAGEMENT ORDER: Bench Trial set for a three week trial calendar beginning on 8/5/2019 at 9:00 AM in Courtroom 706 (Gulfport) before District Judge Halil S. Ozerden. Pretrial Conference set for 7/23–25/2019 at 9:00 AM in Courtroom 706 (Gulfport) before District Judge Halil S. Ozerden. Discovery due by 1/23/2019. Motions for Amended Pleadings due by 9/21/2018. Motions for Joinder of Parties due by 9/21/2018. Motions due by 2/6/2019. EARLY Settlement Conference set for 9/18/2018 at 9:30 AM in Chambers 672 (Gulfport) before Magistrate Judge John C. Gargiulo. Settlement Conference set for 4/15/2019 at 1:30 PM in Chambers 672 (Gulfport) before Magistrate Judge John C. Gargiulo. ADR Report due by 7/16/2019. Proposed Pretrial Order due by 7/23/2019. Signed by Magistrate Judge John C. Gargiulo on 8/23/2018 (AB) Modified on 8/23/2018 (PKS). (Entered: 08/23/2018)
08/23/2018		DOCKET ANNOTATION: The Case Management Order entry of 8/23/2018 will be disregarded on the docket and will be refiled with the attachment. (AB) (Entered: 08/23/2018)
08/23/2018	<u>11</u>	CASE MANAGEMENT ORDER: Bench Trial set for a three week trial calendar beginning on 8/5/2019 at 9:00 AM in Courtroom 706 (Gulfport) before District Judge Halil S. Ozerden. Pretrial Conference set for 7/23–25/2019 at 9:00 AM in Courtroom 706 (Gulfport) before District Judge Halil S. Ozerden. Discovery due by 1/23/2019. Motions for Amended Pleadings due by 9/21/2018. Motions for Joinder of Parties due by 9/21/2018. Motions due by 2/6/2019. EARLY Settlement Conference set for 9/18/2018 at 9:30 AM in Chambers 672 (Gulfport) before Magistrate Judge John C. Gargiulo. Settlement Conference set for 4/15/2019 at 1:30 PM in Chambers 672

		(Gulfport) before Magistrate Judge John C. Gargiulo. ADR Report due by 7/16/2019. Proposed Pretrial Order due by 7/23/2019. EDT: 2 days. Parties do not consent. Signed by Magistrate Judge John C. Gargiulo on 8/23/2018 (AB) (Entered: 08/23/2018)
09/06/2018		Reset Hearing: Due to a conflict with Defense Counsel's schedule, the EARLY Settlement Conference is RESET for 10/19/2018 at 10:00 AM in Chambers 672 (Gulfport) before Magistrate Judge John C. Gargiulo. Counsel are instructed to submit to Judge Gargiulo, seven (7) days prior to the conference, a memorandum (3 page maximum in PDF format) setting forth a brief explanation of the case, and a candid appraisal of their respective positions, including possible settlement figures. This document is NOT to be exchanged and will be viewed only by the Court. The settlement memoranda should be sent to Judge Gargiulo via e-mail (gargiulo_chambers@mssd.uscourts.gov). LOCAL COUNSEL, LEAD COUNSEL AND PARTIES WITH FULL SETTLEMENT AUTHORITY MUST BE PHYSICALLY PRESENT AT THE CONFERENCE (INCLUDING INSURANCE CARRIERS WHO HAVE AUTHORITY). FAILURE TO APPEAR MAY RESULT IN SANCTIONS. (AB) (Entered: 09/06/2018)
09/10/2018	<u>12</u>	SUMMONS Returned Executed by Orocon-Carothers JV1. Department of the Navy served on 5/18/2018.(Germany, Ralph) Modified service date on 9/11/2018 (wld). (Entered: 09/10/2018)
09/10/2018	<u>13</u>	SUMMONS Returned Executed by Orocon-Carothers JV1. Department of the Navy served on 5/10/2018. (Germany, Ralph) Modified service date on 9/11/2018 (wld). (Entered: 09/10/2018)
09/11/2018		DOCKET ANNOTATION as to #12. Corrected service date from 6/4/2018 to 5/18/2018. #13 Corrected service date from 5/16/2018 to 5/10/2018. Counsel should have used the event code "Summons Returned Executed as to USA". Answer deadlines have been terminated as an answer has already been filed. (wld) (Entered: 09/11/2018)
10/19/2018		Minute Entry for proceedings held before Magistrate Judge John C. Gargiulo: Settlement Conference held on 10/19/2018. PARTICIPANTS: Ralph B. Germany, Jr. (Counsel for Plaintiff); Ben Logan and John Oropesa (representatives for Plaintiff); Cynthia Lynn Eldridge (Counsel for Defendant); Greg Palmer and Lt. Loos (representatives for Defendant). The parties made significant progress and have reached a partial settlement in principle regarding the release-of-records aspect to the litigation. In compliance with the agreement, the Defense will produce the negotiated documents to the Plaintiff on or before November 19, 2018. A status conference will be scheduled by separate entry. The parties are encouraged to confer regarding potential resolution of the separate claims for costs and fees. Tape Number: 10/19/2018. (AB) Modified on 10/19/2018 to correct scrivener's error (AB). (Entered: 10/19/2018)
10/19/2018		NOTICE of Hearing: TELEPHONIC Status Conference set for 12/3/2018 at 2:30 PM before Magistrate Judge John C. Gargiulo. Counsel for Plaintiff will place the call to Judge Gargiulo's Chambers with all necessary counsel on the line. (AB) (Entered: 10/19/2018)
10/19/2018		DOCKET ANNOTATION: Minute Entry entered 10/19/2018 was modified to reflect the correct date Defense was to produce the negotiated documents of November 19, 2018. (AB) (Entered: 10/19/2018)
12/03/2018		Minute Entry for proceedings held before Magistrate Judge John C. Gargiulo: TELEPHONIC Status Conference held on 12/3/2018. PARTICIPANTS: Ralph B. Germany, Jr. (counsel for Plaintiff); Cynthia Lynn Eldridge (counsel for Defendant). The parties have made significant progress. As to the release-of-records aspect to the litigation, the Defense has released records and Plaintiff's counsel has begun the process of reviewing same. A status conference will be scheduled by separate entry. Should the matter settle in the meantime, the parties are to submit a proposed Final Judgment to Judge Ozerden's chambers, file a Stipulation of Dismissal signed by all parties who have appeared, or to advise the Court that they consent to entry of the Court's standard Final Judgment. (AB) (Entered: 12/03/2018)
12/03/2018		Set Hearing: TELEPHONIC Status Conference set for 1/7/2019 at 9:30 AM before Magistrate Judge John C. Gargiulo. Counsel for Plaintiff will place the call to Judge

		Gargiulo's Chambers with all necessary counsel on the line. (AB) (Entered: 12/03/2018)
01/03/2019	<u>14</u>	Unopposed MOTION to Stay Case <i>in Light of Lapse of Appropriations</i> by Department of the Navy (Eldridge–Federal Gov, Cynthia) Modified to change relief type on 1/3/2019 (JCH). (Entered: 01/03/2019)
01/03/2019		DOCKET ANNOTATION as to # 14. Incorrect event chosen. This document should have been docketed as a Motion to Stay Case and not Stay Proceedings. Clerk has edited the docket entry to reflect the correct event code. Attorney is advised for future filings when staying the entire case to use the event code Motion to Stay Case. (JCH) (Entered: 01/03/2019)
01/03/2019	<u>15</u>	ORDER granting <u>14</u> Motion to Stay Case. Ordered that the case is stayed and administratively closed for statistical purposes. Signed by Magistrate Judge John C. Gargiulo on 1/3/19. (JCH) (Entered: 01/03/2019)